

REMARKS/ARGUMENTS

This Amendment and the following remarks are intended to fully respond to the Office Action mailed December 7, 2007. In that Office Action, claims 1-20 were examined, and all claims were rejected. More specifically, claims 8-17 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter; claims 1 and 8 were rejected under 35 U.S.C. § 102(e) as being anticipated by Cheng (USPN 6,067,548); claims 2-6, and 9-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Sonderegger et al. (USPN 6,173,289); claims 13-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Stamm et al. (USPN 6,711,616); claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Stamm as applied to claim 13, and further in view of Sonderegger et al.; claims 7, 12, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al., in view of Hammer et al. (USPN 6,076,106); and claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. and Hammer et al. as applied to claim 19, and further in view of Burkett et al. (USPN 6,678,889). Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this response, claims 1 and 8-18 have been amended. No new matter has been added.

Claim Rejections – 35 U.S.C. § 101

Claims 8-17 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Claims 8-17 have been amended to recite a computer storage medium. Each of claims 8-12 either directly or indirectly depend from claim 1 which recites “storing in a memory the information received from the second resource in association with the information received from the first resource.” This element clearly recites a functional relationship with a hardware component, i.e., a memory. Claim 1’s storing step causes a functional change in a memory and is therefore statutory subject matter.

Claim 13 and its dependent claims have also been amended to recite a computer storage medium. In addition, claim 13 also recites a storing step “storing in a memory the task information associated with the new resource.” Claim 13’s storing step causes a functional change in a memory and therefore is clearly statutory subject matter. As claims 15-17 either

directly or indirectly depend from claim 13, claims 15-17 also claim statutory subject matter for at least the same reasons as stated above.

Claim Rejections – 35 U.S.C. § 102

Claims 1 and 8 stand rejected under 35 U.S.C. § 102 as being anticipated by Cheng (USPN 6,067,548).

Claim 1 recites in part:

receiving information from a first resource related to a first task, the first task for a first managed object of a predetermined object type, wherein the information received from the first resource indicates whether the first resource is used to perform the management task;

receiving information from a second resource related to a second task, the second task associated with the first managed object, wherein the information received from the second resource indicates whether the second resource is used to perform the management task

Cheng does not disclose at least the above-recited limitations of claim 1. Cheng discloses a workflow method for distributing and controlling work in a computer system (Cheng, col. 16, lines 22-23). The work is defined by a procedure having a plurality of nodes, with each node being performed by either a computer system or by an agent (Cheng, col. 16, lines 24-28). Each time the procedure is to be performed, an instance of the procedure is created and the instance is divided into a plurality of connected nodes. (Cheng, col. 16, lines 33-39). One of the nodes is selected and a task for the node is created. A resource is then assigned to perform the given task (Cheng, col. 16, lines 39-41). An information packet in the instance is sent to the identified resource and the identified resource performs all activities of the task defined for the node. (Cheng, col. 16, lines 47-50). Another node is selected and the process repeats until the last node of the procedure has been performed (Cheng, col. 16, lines 58-59).

Cheng does not disclose “receiving information from a first resource related to a first task, the first task for a first managed object of a predetermined object type, wherein the information received from the first resource indicates whether the first resource is used to

perform the management task”, nor does Cheng disclose “receiving information from a second resource related to a second task, the second task associated with the first managed object, wherein the information received from the second resource indicates whether the second resource is used to perform the management task.”

In sum, Cheng does not disclose a receiving step to receive information from a first or second resource related to first and second tasks respectively, nor does Cheng disclose that either of the resources performs a management task. Cheng also fails to teach receiving information indicating whether the first and second resources are used to perform the management task. The procedure to be performed in Cheng is subdivided into a plurality of nodes, then a task (or sub-part of the procedure) is created for each node. The node assigns a resource to perform the task and the process continues.

Furthermore, claim 1 also recites:

determining, based on the stored information, which of the
first and second resource to call in response to the request

Thus, claim 1 requires that the information received about the first and second resources play a part in determining which resource will perform the management task. In contrast, Cheng discloses that a resource is assigned to perform a task. Cheng does not indicate that the assignment is made based on information received from a resource, let alone based on information received from both a first resource and a second resource.

As Cheng does not disclose at least the above-recited limitations of claim 1, Cheng does not anticipate claim 1 nor dependent claim 8.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 2-6, and 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Sonderegger et al. (USPN 6173289).

Claims 2-6 and 9-11 depend from claim 1 and therefore contain all the limitations of claim 1. As discussed, Cheng does not disclose at least the above-recited limitations of claim 1 and Sonderegger does not make up for the deficiencies of Cheng.

Sonederegger discloses a method for performing actions on resources in a global network. In Sonederegger, a plurality of action objects are stored with each action object representing at least one action capable of being performed on a resource. (See Sonederegger, col. 3, lines 35-42). Sonederegger does not disclose “receiving information from a first resource related to a first task, the first task for a first managed object of a predetermined object type, wherein the information received from the first resource indicates whether the first resource is used to perform the management task” nor does Sonederegger disclose “receiving information from a second resource related to a second task, the second task associated with the first managed object, wherein the information received from the second resource indicates whether the second resource may be used to perform the management task”.

Therefore, even if Cheng and Sonederegger could be combined in the manner suggested by the Office Action, the combination would still lack at least the above-recited limitations of claim 1. As claims 2-6 and 9-11 depend from claim 1, claims 2-6 and 9-11 are not rendered obvious by the recited combination of references.

Claims 13-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Stamm et al. (USPN 6,711,616).

Claim 13 recites in part

receiving a request from a new resource to install the new
resource on the network environment, the request being in a
predetermined format;
including in the request communication information
associated with the new resource;
verifying the installation of the new resource

As stated in the Office Action, Cheng does not disclose the addition of a new resource to a network environment. (See Office Action pg. 11, line 7), and Stamm does not make up for the deficiencies of Cheng.

Stamm discloses a method and system for allocating resources for performing a plurality of computing tasks. In Stamm, work to be performed is organized by a server into tasks and subtasks. A client may then request work from the server and the server will select the subtask

with resource requirements that best match the available resources of the requesting client. The client then receives a reference to the subtask (i.e., a command by which the subtask is performed) and then invokes the command to execute the subtask. (See Stamm, col. 3, lines 1-25).

Stamm does not disclose or suggest “receiving a request from a new resource to install the new resource on the network environment, the request being in a predetermined format; including in the request communication information associated with the new resource; [and] verifying the installation of the new resource” as recited in claim 13.

As neither Cheng nor Stamm disclose the above-recited limitations of claim 13, even if the references could be combined in the manner suggested in the Office Action, the combination would still lack at least the above-recited limitations and therefore would not render claim 13, nor dependent claims 14-16, obvious.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng, in view of Stamm as applied to claim 13, and further in view of Sonderegger et al.

Claim 17 depends from claim 13 and therefore includes the above-recited limitations of claim 13. As discussed, neither Cheng nor Stamm does not disclose the above-recited limitations of claim 13 and Sonederegger does not make up for the deficiencies of Stamm and Cheng. Therefore, even if the references could be combined in the manner suggested in the Office Action, the combination would still lack at least the above-recited limitations of claim 13. As claim 17 depends from claim 13, claim 17 is not rendered obvious by the recited combination of references.

Claims 7, 12, 18, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al., in view of Hamner et al. (USPN 6,076,106).

Claims 7 and 12 depend from claim 1. As discussed, Cheng does not disclose or suggest at least the above-recited limitations of claim 1, and Hamner does not make up for the deficiencies of Cheng.

Hamner discloses a system for providing information on a computer network that includes a number of devices. A number of tasks are provided, such that each task can be performed upon at least one of the devices. Hamner also discloses displaying to a user in a first

area, representations corresponding to the devices, and in a second area displaying tasks. A user first selects a representation and, in response to the user input, information indicating which of the tasks can be performed upon the selected device is displayed in the second area. (See Hamner, col. 1, lines 56-67). Hamner does not disclose the above-recited limitations of claim 1.

Therefore, even if the references could be combined in the manner suggested in the Office Action, the combination would still lack at least the above-recited limitations of claim 1. As claims 7 and 12 depend from claim 1, claims 7 and 12 are not rendered obvious by the recited combination of references.

Claim 18 recites in part:

a management module in communication with the plurality of resources, wherein each of the resources are configured to provide information corresponding to the management of a plurality of objects associated with each of the resources, wherein at least one of the plurality of objects is a user object that contains information corresponding to a network user, and wherein the management module is capable of receiving a request to access the information related to one or more of the plurality of resources and to receive task information from the plurality of resources related to their associated objects;

As discussed, Cheng discloses that different tasks are created and assigned to various resources (Cheng, col. 13, lines 24-26; see also Cheng, col. 16 lines 47-50 “the identified resource performs all activities of the task defined for the node”) and Hamner discloses displaying associations of devices with tasks performable on the devices.

Neither Cheng nor Hamner disclose or suggest “a management module in communication with the plurality of resources, wherein each of the resources are configured to provide information corresponding to the management of a plurality of objects associated with each of the resources, wherein at least one of the plurality of objects is a user object that contains information corresponding to a network user, and wherein the management module is capable of receiving a request to access the information related to one or more of the plurality of resources

and to receive task information from the plurality of resources related to their associated objects.”

Therefore, even if the references could be combined in the manner suggested in the Office Action, the combination would still lack at least the above-recited limitation of claim 18, and would not render claim 18, nor dependent claim 19, obvious.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cheng et al. and Hamner et al. as applied to claim 19, and further in view of Burkett et al. (USPN 6,678,889). Claim 20 depends from claim 18 and therefore contains the limitation of claim 18 discussed above. As discussed neither Cheng nor Hamner disclose at least the above-recited limitation of claim 18 nor does Burkett disclose the above-recited limitation of claim 18. Therefore, even if the references could be combined in the manner suggested in the Office Action, the combination would still lack at least the above-recited limitation of claim 18. As claim 20 depends from claim 18, claim 20 is not rendered obvious by the recited combination of references.

Conclusion

This Amendment fully responds to the Final Office Action mailed on December 7, 2007. Still, that Office Action may contain arguments and rejections and that are not directly addressed by this Amendment because they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicants believe the argument to have merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.


The Commissioner is authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

Dated: 2-7-08




Greg Johnson, Reg. No. 59,027
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
303.357.1651